

## IN THE UNITED STATES RECEIVING OFFICE

in te Appelication of: Frank Buhl et al.

Title of Invention: Method For Monitoring A Measuring Instrument, In Particular A Flow Meter

And A Measuring Device For Carrying Out Said Method

Application No.: 10/520564 Filed: 7 January, 2005

International Filing Date: 17 June 2003 International Application No.: PCT/EP2003/006367

Applicant: ABB Patent GmbH Attorney Docket No.: 71828

TRANSMITTAL OF RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Enclosed herewith is the following in Response to Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EO/US) ["the Notification"] which was mailed on 6/29/2005.

- 1. One copy of the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US).
- 2. Combined Declaration and Power of Attorney
- 3. English Translation of German application.
- 4. A Preliminary Amendment.

10/05/2005 ATRAN1 00000124 050877 10520564

03 FC:1251 120.00 DR

Petition and Fee For Extension of Time

The Notification set the period for response as two months from the Notification mailing date of June 29, 2005. Applicant includes herewith a Petition and Fee For Extension of Time asking that the period to respond to the Notification be extended one month beyond the end of the two months to September 29, 2005. As is set forth below the required fee of \$120.00 is to be charged to Deposit Account No. 05-0877.

Please charge the sum of \$380.00 to cover the late declaration surcharge (\$130), the English translation surcharge (\$130) and the one month extension of time fee (\$120) and any additional fees which may be required or credit any funds due applicant to Deposit Account No. 05-0877. A duplicate copy of this Transmittal is enclosed.

~ SIGNATURE AND CERTIFICATE OF MAILING APPEARS ON THE FOLLOWING PAGE ~

9/27/05 Date Respectfully submitted,

Michael M. Rickin
Attorney for Applicant

ABB Inc.

29801 Euclid Avenue – 4U6

Wickliffe, OH 44092 (440) 585-7840

# **CERTIFICATE OF MAILING (37 CFR 1.8(a))**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

9/27/65

Michael M. Rickin

(Typed or printed name of person mailing document)

10/05/2005 ATRAN1

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10520564

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### United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Vinginia 22313-1450 www.usplo.gov

U.S. APPLICATION NUMBER NO.

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

10/520,564

Frank BUHL

71828

INTERNATIONAL APPLICATION NO.

PCT/EP03/06367

I.A. FILING DATE

PRIORITY DATE

06/17/2003

07/08/2002

Michael M Rickin ABB Inc. Legal Dept. - 4U6 29801 Euclid Avenue Wickliffe, OH 44092-1832

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> **CONFIRMATION NO. 5271 371 FORMALITIES LETTER** \*OC000000016380694\*

Date Mailed: 06/29/2005

## NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/07/2005
- Copy of the International Search Report filed on 01/07/2005
- Copy of IPE Report filed on 01/07/2005
- U.S. Basic National Fees filed on 01/07/2005

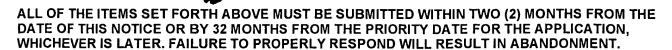
The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Translation of the application into English. Note a processing fee will be required if submitted later than 30 months from the priority date.
- Processing fee for providing the translation of the application and/or the Annexes later than 30 months from the priority date (37 CFR 1.492(f)).
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- \$130 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$260 for a Large Entity:

- \$130 Late oath or declaration Surcharge.
- \$130 for English translation surcharge required.



The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

FRANCINE YOUNG

Telephone: (703) 308-9140 EXT 215

#### PART 1 - ATTORNEY/APPLICANT COPY

L	U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
	10/520,564	PCT/EP03/06367	71828

FORM PCT/DO/EO/905 (371 Formalities Notice)